IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 4286 of 1998

Between:

R.Rama Swamy, S/o. R.Venkataiah,
R/o. Khammam.

..... PETITIONER

AND

The Secretary,
Regional Transport Authority, Khammam.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ or direction, declaring the action of the respondent herein not assigning the petitioners vehicles as a 6 seator motor cabs as illegal, arbitrary and discriminatory and further direct the respondents to assign the petitioner vehicle bearing No. AP20T 3028 above as 6 seator motor cabs by granting All Andhra Permit.

Counsel for the Petitioner: MR.B.CHANDRA SHEKHAR

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following:

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus

declaring the inaction of the respondents to register the vehicles of the petitioner as 6 seator motor cabs as illegal and contrary and further, to direct the respondents to register the vehicles of the petitioner as 6 seator motor cabs.

When the matter is taken up for hearing, it is submitted by the learned Government Pleader for Transport appearing for the respondent and is conceded by the learned counsel for the petitioner that the subject matter involved in this writ petition is squarely covered by the judgment of this Court in **O.Gangadhar Vs. Transport Commissioner, A.P.**., wherein it is held that though reduction of seats in the vehicle does not require the previous permission of the Registering Authority, the owners of the vehicles are not entitled to get the seating capacity reduced by reducing the number of seats.

In the instant case, admittedly, the petitioner purchased the vehicle commandors and approached the respondents for adaption of the said vehicles as motor cabs and also sought to register the same as 6-seator vehicles.

Therefore, following the aforesaid judgment of the Division Court, this writ petition is dismissed for the same and similar reasons. No order as to costs.

08.04.2005

dr/tvk

To

1 The Secretary,
Regional Transport Authority, Khammam.

2 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

3 2 CD copies